

Message Text

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72

ORIGIN EB-11

INFO OCT-01 EUR-25 IO-12 ADP-00 COME-00 OTP-02 LOC-01 CU-04

L-03 CCO-00 CIAE-00 FCC-03 INR-09 NSAE-00 OC-06

RSC-01 OIC-04 AF-10 ARA-11 EA-11 NEA-10 INRE-00 /124 R

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P 272221 Z MAR 73

FM SECSTATE WASHDC

TO USMISSION GENEVA PRIORITY

AMEMBASSY PARIS

UNCLAS STATE 056327

E. O. 11652, N/ A

TAGS: EIND, SZ, FR

FOR UNESCO:

SUBJECT: COMMUNICATIONS SATELLITE AGREEMENT.

1. IN A JOINT COMMUNICATION FROM THE DIRECTOR- GENERAL OF UNESCO AND THE DIRECTOR- GENERAL OF WIPO, DATED DECEMBER 22, 1972, GOVERNMENTS WERE ASKED FOR ANY OBSERVATIONS ON THE COMMENTARY ON THE DRAFT " CONVENTION AGAINST THE UNAUTHORIZED DISTRIBUTION OF PROGRAMME- CARRYING SIGNALS TRANSMITTED BY SATELLITES" BY APRIL 1, 1973.

2. FOLLOWING ARE THE OBSERVATIONS OF THE U. S. GOVERNMENT ON THE COMMENTARY:

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(A) THE USG COMMENDS THE TWO SECRETARIATS FOR THE PREPARATION OF A WELL- BALANCED AND VERY FINE COMMENTARY ON A COMPLEX CONVENTION.

(B) THE USG BELIEVES THAT PARAGRAPHS 29 AND 30, WHICH SUMMARIZE THE TWO PRINCIPAL VIEWPOINTS ON ARTICLE IV, ARE CORRECT AS FAR AS THEY GO. HOWEVER, WE BELIEVE THAT PARAGRAPH 30 COULD HAVE BEEN EXPANDED TO BRING OUT MORE POSITIVELY THE VIEWPOINT OF THE U. S. AND CERTAIN OTHER DELEGATIONS THAT THE BASIC OBJECTIVE OF THE DRAFT CONVENTION FROM THE VERY BEGINNING HAS BEEN TO PREVENT THE UNAUTHORIZED DISTRIBUTION OF PROGRAMME- CARRYING SIGNALS TRANSMITTED BY SATELLITES AND THAT THIS CAN BE ACCOMPLISHED BY LIMITING THE TEXT OF ARTICLE IV TO PARAGRAPH (1) OF ALTERNATIVE A OR ALTERNATIVE B, WHICH IS IDENTICAL IN BOTH ALTERNATIVES. PARAGRAPH 30 MIGHT ALSO HAVE BROUGHT OUT MORE CLEARLY THE BELIEF OF THE DELEGATIONS REFERRED TO IN THIS PARAGRAPH THAT THE LIMITATION OF ARTICLE IV TO PARAGRAPH (1) WOULD IN NO WAY LIMIT NOR PREJUDICE RIGHTS OR PROTECTION ACCORDED TO PROGRAMME CONTRIBUTORS UNDER ANY DOMESTIC LAW OR INTERNATIONAL AGREEMENT.

(C) THE USG CONTINUES TO FAVOR LIMITING THE SCOPE OF ARTICLE IV TO PARAGRAPH (1).

(D) THE USG RESERVES THE RIGHT TO COMMENT ON OTHER POINTS IN THE COMMENTARY AT THE THIRD COMMITTEE OF GOVERNMENTAL EXPERTS.

3. ACTION REQUESTED. MISSIONS ARE REQUESTED TO TRANSMIT USG COMMENTS IN PARAGRAPH 2 IN AN APPROPRIATE FORM TO UNESCO AND WIPO PRIOR TO APRIL 1. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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